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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Febvre *et al.*

Appl. No. 09/439,348

Filed: November 15, 1999

For: **Communication Methods And
Apparatus**

Art Unit: 2661

Examiner: Vanderpuye, Ken N.

Atty. Docket: 1487.0160000

Power to Inspect and Make Copies

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

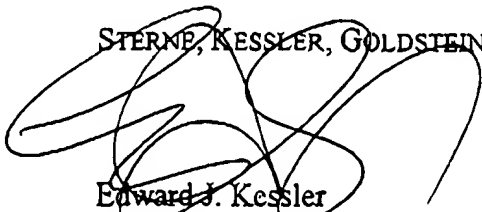
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Sir:

The undersigned attorney of record, by virtue of the Power of Attorney filed at the U.S. Patent and Trademark Office on November 15, 1999, hereby authorizes DIGIPAT, its representatives Terry W. Kramer, Byron Galvez and Shoaib Ghayour of 2001 Jefferson Davis Highway, Suite 1101, Arlington, VA 22202 to inspect and make copies of the file for the above-identified application.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Edward J. Kessler
Attorney for Applicants
Registration No. 25,688

Date: 10/11/00

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Washington, D.C. 20005-3934
(202) 371-2600



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*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

July 17, 2000

WRITER'S DIRECT NUMBER:
(202) 371-2670

INTERNET ADDRESS:
LALCORN@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application
Appl. No.: 09/439,348; Filed: November 15, 1999
For: Communication Methods and Apparatus
Inventors: Febvre *et al.*
Our Ref: 1487.0160000/LEA/DTJ

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated December 15, 1999, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Petition for Extension of Time under 37 C.F.R. § 1.136 (in duplicate);
2. PTO Fee Transmittal Form PTO/SB/17 (in duplicate);
3. Copy of the Notice to File Missing Parts;
4. Original Combined Declaration and Power of Attorney for Patent Application, executed by Paul Febvre, Edward Arthur Jones and Panagiotis Fines, including a copy of the specification as filed;
5. Original Declaration for Patent Application under 37 C.F.R. § 1.47, executed by Diana Hawthorne, including Exhibit A;

Commissioner for Patents

July 17, 2000

Page 2

6. Supplemental Preliminary Amendment;
7. Claim to Priority under 35 U.S.C. § 119(a)-(d);
8. A certified copy of United Kingdom Patent Application No. 9905182.3, filed March 5, 1999, priority of which is hereby claimed;
9. Return postcard; and
10. Our Check No. 28123 for \$3,418.00 to cover:
 - \$760.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)
 - \$624.00 Fee for excess independent claims (37 C.F.R. § 1.16)
 - \$54.00 Fee for excess claims (37 C.F.R. § 1.16)
 - \$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
 - \$1,850.00 For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Linda E. Alcorn

Linda E. Alcorn
Attorney for Applicants
Registration No. 39,588

LEA:DTJ:mal

Enclosures

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/439,348	11/15/99	FEBVRE	P 1487.0160000

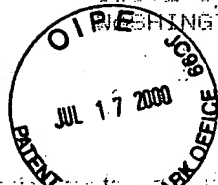
0222/1215
STERNE KESSLER GOLDSTEIN & FOX PLLC
ATTORNEYS AT LAW
SUITE 600-1100 NEW YORK AVENUE NW
WASHINGTON DC 20005-3934

NOT ASSIGNED

2749

DATE MAILED:

12/15/99



NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1,840.

☒ 1. The statutory basic filing fee is:

- ☒ missing
☐ insufficient

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 70 for 4 total claims over 20.
\$ 224 for 8 independent claims over 3.
\$ 200 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(a)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.52(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

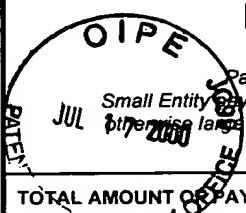
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

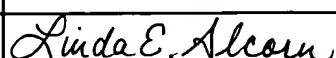
A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="margin: 0;">for FY 2000</p> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</p>		Complete if Known	
TOTAL AMOUNT OF PAYMENT		(\$) 3,418.00	
Application Number		09/439,348	
Filing Date		November 15, 1999	
First Named Inventor		Febvre et al.	
Examiner Name		To be Assigned	
Group / Art Unit		2749	
Attorney Docket Number		1487.0160000/LEA/DTJ	

<h3 style="text-align: center; margin: 0;">METHOD OF PAYMENT (check one)</h3> <p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 30%;">Deposit Account Number</td> <td>19-0036</td> </tr> <tr> <td>Deposit Account Name</td> <td>Sterne, Kessler, Goldstein & Fox P.L.L.C.</td> </tr> </table> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* <small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small></p> <h3 style="text-align: center; margin: 10px 0;">FEE CALCULATION</h3> <div style="margin-bottom: 10px;"> <h4>1. BASIC FILING FEE</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>690</td> <td>201</td> <td>345</td> <td>Utility filing fee</td> <td>\$760.00</td> </tr> <tr> <td>106</td> <td>310</td> <td>206</td> <td>155</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>480</td> <td>207</td> <td>240</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>690</td> <td>208</td> <td>334</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL (1) (\$)</td> <td>\$760.00</td> </tr> </tbody> </table> </div> <div> <h4>2. EXTRA CLAIM FEES</h4> <table style="width: 100%;"> <tr> <td style="text-align: right;">Total Claims</td> <td style="text-align: center;">23</td> <td style="text-align: center;">- 20** =</td> <td style="text-align: center;">3</td> <td style="text-align: center;">X</td> <td style="text-align: center;">18</td> <td style="text-align: center;">=</td> <td style="text-align: right;">\$54.00</td> </tr> <tr> <td style="text-align: right;">Indep. Claims</td> <td style="text-align: center;">11- 3** =</td> <td style="text-align: center;">8</td> <td style="text-align: center;">X</td> <td style="text-align: center;">78</td> <td style="text-align: center;">=</td> <td></td> <td style="text-align: right;">\$624.00</td> </tr> <tr> <td style="text-align: right;">Multiple Dependent</td> <td colspan="6"></td> <td style="text-align: right;">=</td> </tr> </table> <p style="font-size: small;">** or number previously paid, if greater; For Reissues, see below</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>78</td> <td>202</td> <td>39</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>260</td> <td>204</td> <td>130</td> <td>Multiple dependent claim</td> <td></td> </tr> <tr> <td>108</td> <td>78</td> <td>209</td> <td>39</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL (2) (\$)</td> <td>\$678.00</td> </tr> </tbody> </table> </div>	Deposit Account Number	19-0036	Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	690	201	345	Utility filing fee	\$760.00	106	310	206	155	Design filing fee		107	480	207	240	Plant filing fee		108	690	208	334	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1) (\$)					\$760.00	Total Claims	23	- 20** =	3	X	18	=	\$54.00	Indep. Claims	11- 3** =	8	X	78	=		\$624.00	Multiple Dependent							=	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	78	202	39	Independent claims in excess of 3		104	260	204	130	Multiple dependent claim		108	78	209	39	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)					\$678.00	<h3 style="text-align: center; margin: 0;">FEE CALCULATION (continued)</h3> <h4>3. ADDITIONAL FEES</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>\$130</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>380</td> <td>216</td> <td>190</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>870</td> <td>217</td> <td>435</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,360</td> <td>218</td> <td>680</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,850</td> <td>228</td> <td>925</td> <td>Extension for reply within fifth month</td> <td>\$1,850</td> </tr> <tr> <td>119</td> <td>300</td> <td>219</td> <td>150</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>300</td> <td>220</td> <td>150</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>260</td> <td>221</td> <td>130</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,210</td> <td>241</td> <td>605</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,210</td> <td>242</td> <td>605</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>430</td> <td>243</td> <td>215</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>580</td> <td>244</td> <td>290</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>690</td> <td>246</td> <td>345</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>690</td> <td>249</td> <td>345</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> </tbody> </table> <p>Other fee (specify) : _____</p> <p>Other fee (specify) : _____</p> <p>*Reduced by Basic Filing Fee Paid</p> <p style="text-align: right;">SUBTOTAL (3) (\$) \$1,980.00</p>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	\$130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	380	216	190	Extension for reply within second month		117	870	217	435	Extension for reply within third month		118	1,360	218	680	Extension for reply within fourth month		128	1,850	228	925	Extension for reply within fifth month	\$1,850	119	300	219	150	Notice of Appeal		120	300	220	150	Filing a brief in support of an appeal		121	260	221	130	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,210	241	605	Petition to revive - unintentional		142	1,210	242	605	Utility issue fee (or reissue)		143	430	243	215	Design issue fee		144	580	244	290	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))		149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	
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102	78	202	39	Independent claims in excess of 3																																																																																																																																																																																																																																																																															
104	260	204	130	Multiple dependent claim																																																																																																																																																																																																																																																																															
108	78	209	39	**Reissue independent claims over original patent																																																																																																																																																																																																																																																																															
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																																															
SUBTOTAL (2) (\$)					\$678.00																																																																																																																																																																																																																																																																														
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105	130	205	65	Surcharge - late filing fee or oath	\$130																																																																																																																																																																																																																																																																														
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																																															
139	130	139	130	Non-English specification																																																																																																																																																																																																																																																																															
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																																																																																															
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																																															
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																															
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																																																																																															
116	380	216	190	Extension for reply within second month																																																																																																																																																																																																																																																																															
117	870	217	435	Extension for reply within third month																																																																																																																																																																																																																																																																															
118	1,360	218	680	Extension for reply within fourth month																																																																																																																																																																																																																																																																															
128	1,850	228	925	Extension for reply within fifth month	\$1,850																																																																																																																																																																																																																																																																														
119	300	219	150	Notice of Appeal																																																																																																																																																																																																																																																																															
120	300	220	150	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																															
121	260	221	130	Request for oral hearing																																																																																																																																																																																																																																																																															
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																															
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																															
141	1,210	241	605	Petition to revive - unintentional																																																																																																																																																																																																																																																																															
142	1,210	242	605	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																															
143	430	243	215	Design issue fee																																																																																																																																																																																																																																																																															
144	580	244	290	Plant issue fee																																																																																																																																																																																																																																																																															
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																															
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																																																																																															
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																															
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																															
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																															
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																															

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Linda E. Alcorn		Reg. Number	
Signature				39,588	
Date		July 17, 2000		Deposit Acct. User ID	

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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